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April 21, 2003

**BOX CPA**

Commissioner for Patents  
Washington, D.C. 20231

Re: Application of Akitaka KIMURA  
SEMICONDUCTOR LAYER FORMED BY SELECTIVE DEPOSITION AND  
METHOD FOR DEPOSITING SEMICONDUCTOR LAYER  
Assignee: NEC CORPORATION  
Our Ref: Q51885

Dear Sir:

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of pending prior Application No. 09/161,981 filed on September 29, 1998 of Akitaka KIMURA entitled SEMICONDUCTOR LAYER FORMED BY SELECTIVE DEPOSITION AND METHOD FOR DEPOSITING SEMICONDUCTOR LAYER.

This application is being filed under 37 CFR § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 USC § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 2881.

Enter the Amendment previously filed on March 20, 2003 under 37 CFR § 1.116, but unentered, in the prior application.

The power of attorney appears in the original papers of the prior application.

Priority is claimed from:

<u>Country</u>	<u>Application No</u>	<u>Filing Date</u>
Japan	9-264225	September 29, 1997

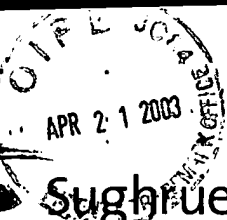
The priority document was filed in parent Application No. 09/161,981.

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Commissioner for Patents

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**Please see the attached PRELIMINARY AMENDMENT before calculating the filing fee.**

The Government filing fee is calculated as follows:

Total claims	<u>13</u>	-	20	=	<u>0</u>	x	\$18.00	=	<u>0.00</u>
Independent claims	<u>2</u>	-	3	=	<u>0</u>	x	\$84.00	=	<u>0.00</u>
Base Fee									\$750.00

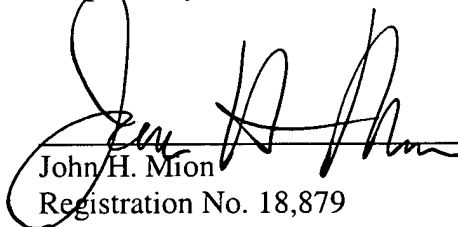
**TOTAL FILING FEE**

**\$750.00**

A check for the statutory fee of \$750.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

A Petition and payment for an extension of time is being filed concurrently herewith in Application No. 09/161,981. The application is timely filed.

Respectfully submitted,

  
John H. Mion  
Registration No. 18,879

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Date: April 21, 2003

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